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9 Attorneys for Defendants

10 DICK/MORGANTI, DICK CORPORATION,  
and THE MORGANTI GROUP

11  
12 UNITED STATES OF AMERICA for the Use and  
Benefit of WEBCOR CONSTRUCTION, INC. dba  
WEBCOR BUILDERS, and WEBCOR  
CONSTRUCTION, INC. dba WEBCOR  
BUILDERS,

13 Plaintiffs,  
14 vs.

15 DICK/MORGANTI, a joint venture, DICK  
CORPORATION, THE MORGANTI GROUP,  
AMERICAN CASUALTY COMPANY OF  
READING, PA, NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, PA,  
16 and DOES 1 through 10, inclusive,

17 Defendants.

18  
19 AND RELATED COUNTER-CLAIMS AND  
THIRD PARTY CLAIMS.

20 Case No.: 3:07-CV-02564-CRB

21 **STIPULATION AND [PROPOSED]  
ORDER FURTHER EXTENDING  
TIME TO FILE ANSWER AND  
COUNTERCLAIM**

22 Before: Hon. Charles R. Breyer

23 Pursuant to Local Civil Rule 6-2, Defendants, Counter-Claimants, and Third Party

24 Complainants DICK/MORGANTI, DICK CORPORATION, and THE MORGANTI GROUP

25 (together, “D/M”) and Plaintiff WEBCOR CONSTRUCTION, INC. dba WEBCOR BUILDERS

26 (“Webcor”) hereby stipulate and agree that the deadline for D/M to file an answer to Webcor’s  
27 complaint, as well as the time for D/M to file a counterclaim, if any, be further extended by 21

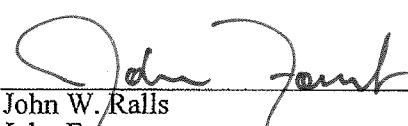
1 days from **August 28, 2009**, to **September 18, 2009**. The parties and their representatives  
2 continue to meet and discuss various issues, including how Webcor's claims will be addressed at  
3 the upcoming mediations with the Project owner. In the meantime, the parties prefer to avoid  
4 spending time on litigation activities and filings in the case, and therefore stipulate to this further  
5 extension of time.

6 The time for D/M to file an answer to Webcor's complaint and the time for D/M to file a  
7 counterclaim has been extended several times before. Additionally, there have been other time  
8 extensions in this case, including time extensions in connection with case management  
9 conferences.

10 A declaration in support of this stipulated request is attached.  
11

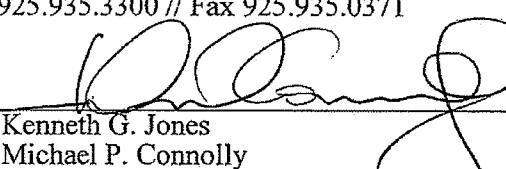
12 Dated: August 24, 2009

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15 By:   
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John Fquist  
Attorneys for Defendants, Counter-Claimants  
and Third Party Complainants  
DICK/MORGANTI, DICK CORPORATION,  
and THE MORGANTI GROUP

20 Dated: August 26, 2009

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24 By:   
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WEBCOR CONSTRUCTION, INC. dba  
WEBCOR BUILDERS

## ORDER

The deadline for Defendants, Counter-Claimants, and Third Party Complainants  
DICK/MORGANTI, DICK CORPORATION, and THE MORGANTI GROUP (together, “D/M”)  
to file an answer to the complaint of Plaintiff WEBCOR CONSTRUCTION, INC. dba WEBCOR  
BUILDERS (“Webcor”), as well as the time for D/M to file a counterclaim, if any, is further  
extended by 21 days from **August 28, 2009**, to September 18, 2008.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

9 | Dated: August 31, 2009

